

# THE LAW OFFICE OF JOSHUA MOSKOVITZ, P.C.

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September 2, 2022

## **BY ECF**

Hon. Colleen McMahon  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *In Re: New York City Policing During Summer 2020 Demonstrations*,  
20 Civ. 8924 (CM)(GWG)

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This filing is related to:

*Sierra v. City of New York*, 20 Civ. 10291 (CM)(GWG)

*Wood v. City of New York*, 20 Civ. 10541 (CM)(GWG)

Your Honor:

I write on behalf of the plaintiffs in *Sierra* and *Wood* in brief reply to the defendants' letter response (ECF No. 737) to the *Sierra* and *Wood* plaintiffs' motion to file a consolidated and amended complaint (ECF No. 686).

The defendants' lack of opposition to the motion is a welcome, albeit surprising, response. The defendants had previously told plaintiffs they object to our proposed amendments. *See* Decl. of Rob Rickner, Ex. 16 (ECF No. 688-16). On March 16, 2022, we sent the defendants a draft of a proposed amended complaint in *Sierra* and asked defense counsel "to set up a time to discuss this." *Id.* at 9. That draft complaint included all of the substantive amendments save consolidation that are included in the present proposed amended complaint. We spent nearly a month attempting to confer with defense counsel about our proposed amendments. *Id.* Finally, on April 7, 2022, defendants set forth their reasons for objecting to our proposed amended complaint and stated: "We don't think a meet and confer is necessary." *Id.* Consequently, we undertook the time and effort to file the present motion.

Thus, we were vexed to see defendants' accusation that we had "declined to meet and confer" regarding our proposed amendments. ECF No. 737. That accusation is plainly false as demonstrated by the lengthy correspondence contained in Exhibit 16 to the July 22, 2022 Declaration of Rob Rickner (ECF No. 688-16). Defense counsel was included on those emails.

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Since, the defendants do not oppose plaintiffs' motion for leave to file a consolidated and amended complaint in *Sierra* and *Wood*, we ask the Court to grant the motion in full.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua S. Moskowitz', with a stylized, cursive script.

Joshua S. Moskowitz

cc: All Counsel of Record